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UNITED STATES DEPARTMENT OF AGRICULTURE
RESETTLEMENT ADMINISTRATION
Land Utilization Division
Land Use Planning Section

BULLETIN OF FEDERAL AND STATE LEGISLATION AFFECTING LAND USE

No. 7

Week Ending February 18, 1937.

(Primarily for the information of Land Use Planning personnel of the Resettlement Administration and collaborating offices and agencies.)

I. FEDERAL LEGISLATION

BANKING AND CURRENCY

S. 1397. Mr. Pope.

To create a Federal Crop Insurance Corporation with a capital stock of \$100,000,00, to be managed by a board of three directors to be appointed by the Secretary of Agriculture. The board may conduct research and investigation relative to crop insurance for wheat and other agricultural commodities. The board may establish or utilize committees or associations of producers in the administration of the Act and make payments to such committees or associations covering administrative expenses. The Corporation is to insure the wheat crop planted for harvesting in 1938 upon such terms and conditions as it may determine against loss in yields of wheat due to drought, flood, hail, wind, tornado, insect infestation, and any other cause as may be determined by the board. The insurance shall cover a percentage of the appraised yield of wheat for a representative base period so that the average yield fixed for farms in the same areas which are subject to the same conditions may be equitable. The board is to fix premiums for such insurance, payable either in cash or in kind. The board may purchase, store or sell wheat whenever necessary to carry out the intent of the Act.
To Committee on Agriculture and Forestry February 8.

EMERGENCY RELIEF - C. C. C.

H. R. 4481. Mr. Citron

To make the Civilian Conservation Corps a permanent agency.
To Committee on Labor February 8.

GOVERNMENT ORGANIZATION

S. 1392. Mr. Ashurst

To authorize the President to appoint an additional judge in any Federal Court when any judge then sitting has attained the age of 70, provided such judge neither retires or resigns within six months after attaining such age, and provided further that the number of judges of the Supreme Court does not exceed fifteen and the number in the Appellate Courts more than two additional, and the number in the Districts Courts does not double. Provision is made for the transfer of

judges from one district or circuit to another on order of the Chief Justice. The Supreme Court may appoint a Proctor to obtain and publish information of the status of litigation in the lower courts and investigate the need for transfers of judges and recommend, with the approval of the Chief Justice, methods for expediting cases pending on the dockets. To Judiciary Committee February 8.

HOUSING

H. R. 4292. Mr. Scott.

To create a Federal Housing Authority to provide for the construction of dwellings for families of low income. A fund is created to be administered by the Authority for advances to Public Housing Authorities in states or political subdivisions. The Authority may make loans up to 85% of the entire cost of land and construction cost of the project; the remaining 15% to be contributed by the local authority. The conditions of the grants include occupancy standards, construction standards, and the payment of taxes. Within the Authority a Research and Planning Division Board is to be established for the purpose of studying and analyzing economical, social and technical aspects of housing problems for the purpose of improving housing standards. Such information as is collected is to be published and disseminated. To Committee on Ways and Means February 4.

HYDRO-ELECTRIC DEVELOPMENT

H. R. 4347. Mr. Withrow.

To create the Upper Mississippi Valley Authority similar to the T. V. A. to improve the navigability and flood control of the upper Mississippi River; providing for reforestation and the use of marginal land for agricultural and industrial development. To Committee on Flood Control February 4.

H. R. 4398. Mr. Greenwood.

To create an Ohio Valley Authority similar to the T. V. A. for the purpose of flood control, conservation of soil from erosion, reforestation, extension of water navigation, and the production of electrical energy.

To Committee on Flood Control February 5.

H. R. 4603. Mr. Secrest.

S. 1440. Messrs. Barkley and Bulkley.

To create authorities similar to the T. V. A. for the Ohio and Great Lakes Valley, Missouri Valley, Arkansas Valley, Columbia Valley, Colorado Valley, Mississippi Valley, and one for the Atlantic Seaboard. These authorities are to be created as corporations with power to construct through the United States Army Engineers and maintain and operate dams, reservoirs, canals, and improvements for navigation. The corporations are to study reforestation, use of marginal lands in the areas, and to acquire such lands for reforestation, preservation of wildlife and natural resources. If upon investigation the authority deems advisable it may recommend to Congress for approval the development of electrical power in connection with any project. Corporations are to

make surveys with a view toward planning for maximum flood control, improving navigation, proper use of marginal lands, reforestation, soil conservation, and economic and well-being of the people living in the basin.
To Committee on Flood Control February 10.

SOIL CONSERVATION

H. R. 4410. Mr. Maverick.

To create a National Soil Conservation Board. This is a companion bill to S. 1303 (Bulletin 6, page 3).
To Committee on Agriculture February 5.

II. STATE LEGISLATION

(Includes only outstanding proposals likely to be of interest to Legislatures other than the one in which the bill is introduced.)

AGRICULTURE

California. H. B. 1184. Mr. Glick.

S. B. 947. Mr. Phillips.

To foster the creation of a cooperative association for the rehabilitation of indigent unemployed families of the state by the removal of such families to rural communities on good agricultural land. The association shall have power to build homes for its members, furnish employment, engage in cooperative farming and related operations. The Director of the Department of Social Welfare is authorized to loan the association money. An appropriation of $2\frac{1}{2}$ million dollars is made to the Department.
To Public Charities and Corrections Committee January 20.

Wisconsin. S. B. 392.

To create the Home and Farm Credit Administration in charge of a Director appointed by the Governor. The Director shall assist needy farmers and home owners to obtain credit facilities, cooperate with the Federal Government, conciliate between debtors and creditors, and secure aid for farms suffering from drought. There is to be appropriated \$30,000 for remaining fiscal year and \$90,000 annually thereafter.
Introduced February 4.

DRAINAGE

California. H. B. 1126. Mr. Walker.

To provide that an organized Irrigation District having under its control water which may be utilized to develop hydro-electric power is authorized to provide for such utilization.
To Committee on Public Utilities January 20.

North Dakota. H. B. 125. Messrs. Hagen and Jensen.

To create a State Water Conservation Board. The Board is authorized to construct, after preparing plans and estimates, projects for individual owners or projects for state-wide projects for the conservation and use of water. The Board is authorized to make necessary surveys and investigations and plans to carry out a comprehensive state-wide program of water conservation. The Board is authorized to issue revenue bonds to finance the projects. It may enter into contracts, leases and agreements with the Federal Government or with other states for the construction of any works or projects.
To Irrigation Committee January 30.

Wyoming. S. B. 57. Public Land Committee.

To authorize the creation of Irrigation Districts, Irrigation and Power Districts for irrigation, flood control and generation of electric power.

To Committee No. 6 February 3.

GOVERNMENT ORGANIZATION

Arizona. S. B. 76. Mr. Kelly.

To create a Court of Equalization and Administrative Review for the purpose of reviewing decisions of the State Tax Commission and any other administrative body making decisions or issuing licenses. This Court is to review assessments by County Boards of Equalization and the State Tax Commission. The Court's jurisdiction over licenses pertains to the revocation or suspension of such licenses issued by the Corporation Commission, Superintendent of Banks, Real Estate Commission, Registrar of Contractors, Industrial Commission, State Tax Commission in its power to revoke licenses to sell or deal in spiritous liquors. This Court is given jurisdiction to review the acts of administrative tribunals; to review the validity of regulations issued by administrative tribunals. The Court is to be composed of 3 judges to be appointed by the Governor with the consent of the Senate for a term of 6 years, and subject to removal only upon the judgment of a Court of Impeachment. The Court has power to make such necessary rules for the regulation of the practice of its court and make all orders necessary for the exercise of the judicial functions.

Introduced February 2.

Georgia. H. B. 159. Mr. Cogdell.

S. 44. Mr. Shedd.

To create a Department of Conservation and Development under the direction of a Board of Conservation and Development. The Board is to be composed of 5 members consisting of the Commissioner of the Department as Chairman and 4 directors of the subdivisions of the Government, all appointed by the Governor. The Department is to take over the powers and duties exercised by the State Department of Game and Fish, State Geologist and State Board of Forestry. The Board is to promote the conservation and development of the natural resources of the State by a more profitable use of lands, forests and waters, commerce and industry. The Board is authorized to cooperate with the Federal Government in carrying out any suggestions or plans of the Department and all political subdivisions of the State. The State Board of Forestry, office of the State Geologist and State Board of Game and Fish are abolished.

To Conservation Committee January 25.

Kansas. S. B. 175. Mr. Waggener.

To reorganize the State Government. There is to be a qualified civil engineer appointed as State Manager by the Governor. The Manager shall perform the duties of the various State Departments. The Manager may appoint assistants to be in charge of these departments. All powers, functions and duties vested in the Board of Administration, State Business Manager, Hotel Commissioner, Chief Grain Inspector, State Fire Marshall, State Oil Inspector, Vehicle Commissioner, State Budget Commissioner, and

State Board of Review, are to be transferred to the Manager and such offices abolished.

Introduced February 1.

Minnesota. S. B. 530. Mr. Anderson.

To create a State Board of Housing with supervisory powers over local housing boards which are also authorized to be created by this Act. The State Board may exercise the right of eminent domain for the benefit of the local housing board, prescribe forms of uniform accounting for local housing authorities and approve, amend or reject any plans for the construction of low cost housing projects proposed by such local boards. The Mayor or President of the Council of any city or village with a population of over 10,000, with the consent of the governing body and the approval of the State Housing Board may appoint a local housing board of five members. If a planning commission exists within the municipality, such planning commissioner may be appointed as the housing authority. The local bodies have power to plan, finance, construct and operate housing projects and may borrow money upon their bonds and secure such money by mortgages upon the property held. The local housing boards shall investigate housing conditions in the areas and the means and methods of improving such conditions.

Introduced February 8.

New Hampshire. S. P. 42. Mr. Blood.

To amend the Act granting consent to the United States to acquire land. The Act created a Land Use Board to cooperate and advise on such acquisition. This amendment is to designate the members of the State Planning and Development Commission as the members of the Land Use Board.

To Committee on Revision of Laws February 9.

New Jersey. S. B. 109. Mr. Erickson.

Providing for the consolidation and reorganization of the various boards and departments of the State with a view of eliminating over-lapping and conflicting agencies, reducing governmental expenditures and providing for an economic and effective administration. There shall be created a State Council of Administration composed of the following officials appointed by the Governor: Superintendent of State Police, Commissioner of Municipal Accounts, Director of Board of Commerce and Navigation, Director of Board of Conservation and Development, Alcoholic Beverage Commissioner, Director of Department of Agriculture, Commissioner of Education, Commissioner of Labor, Commissioner of Motor Vehicles, Director of State Department of Health, State Highway Commissioner, Commissioner of Banking and Insurance, and Commissioner of Institutions and Agencies.

To Miscellaneous Committee February 8.

North Carolina. H. B. 266. Mr. Poole.

To reorganize the Department of Agriculture to be known as the Department of Agriculture, Immigration and Statistics under the control of a Commissioner of Agriculture. A Board of Agriculture is created consisting of the Commissioner of Agriculture as chairman and 10 members representing the different sections of agriculture of the State and appointed by the Governor. The Commissioner of Agriculture and the members of the Board shall be practical farmers engaged in their profession.

To Committee on Agriculture February 9

INTERSTATE COMPACTS

Illinois. S. B. 63. Mr. Monroe.

To create an Interstate Flood Relief and Prevention Commission to cooperate with public and private agencies of the States, Council of State Governments, and the Federal Government for the formulation of definite plans for flood control and prevention. To Executive Committee February 9.

North Dakota. S. B. 180. Mr. Coffey.

A compact with the States of Minnesota and South Dakota for the control, utilization and prevention of pollution of the waters of the Red River within the three states. Tristate Waters Commission of three members from each state as a corporation is created to make recommendations to the respective legislatures of legislation deemed advisable, to survey and study the water problems within the area and formulate programs of regulation in conformity with the laws of the respective states. Programs of work of an interstate character in the area prepared by state or local agencies shall be approved by the Commission before construction is begun. The Commission shall cooperate with Federal, State and local agencies in relation to any of its functions.

To Irrigation and Drainage Committee February 7.

Pennsylvania. S. B. 52. Mr. Roberts.

To create a Commission of Interstate Cooperation consisting of five members from each house and five State officials appointed by the Governor.

To Committee on State Government February 3.

LAND USE

Arkansas. S. B. 205. Messrs. Milum and Cummings.

To accept the provisions of the Soil Conservation and Domestic Allotment Act. The University of Arkansas is designated as the agency of the State to prepare plans in conformity with the Act, and when approved by the Secretary of Agriculture to administer such plans and receive and expend any money allotted for the execution thereof.

Introduced February 4.

Oregon. H. B. 148. Messrs. Fatland and French.

To provide for the organization of districts for the control of wind erosion. The County Court (County Commissioners) is authorized to designate areas as wind erosion districts upon petition of two-thirds of the land owners within the proposed district. Within 30 days after the district has been designated by the County Court notice shall be given to the farm operators within the district of a meeting to be held 10 days hence for the purpose of electing four directors as an advisory board. The functions of the advisory board shall be to recommend to the County Court for appointment a wind erosion inspector and consult with such inspector as to the most feasible methods of effectuating wind erosion control in the district. The board shall act as a Board of Appeal when disputes arise between the inspector and the occupant of the land relative to the enforcement of the Act. The inspector appointed by the County Court shall determine when serious wind erosion conditions prevail, serve notice on owners or occupants to correct such

conditions and, when necessary, control or supervise measures for the control of wind erosion, when the owners or occupants fail to take necessary measures. The County Court is authorized to levy a tax to create a fund for the control of wind erosion on county land within wind erosion districts.

Introduced January 29.

Oregon. H. B. 268. Messrs. Carter and McCloskey.

To authorize the State Forester to prohibit the use of fire in any form (except for fire control under his supervision), or the use of machinery or operation, when in his judgment atmospheric conditions warrant, in any forest area west of the Summit of the Cascade Mountains.

Introduced February 3.

PLANNING

Colorado. H. B. 644. Messrs. Smith and Hoefnagels.

To enable counties to pass zoning ordinances to regulate the location and use of buildings, structures and land for trade, industry or other purposes, with a penalty for violation of such ordinances.

Introduced January 18.

Michigan. S. B. 81. Mr. Lamoreaux.

To enable townships having a population of 10,000 or more to adopt zoning ordinances.

To Committee on Counties and Townships February 2.

Oregon. H. B. 223. Messrs. Norblad and Turner.

To provide for the creation of County Planning boards to develop and conserve the resources of the counties. The Boards are authorized to cooperate with and advise the County Court (County Commissioners) on questions of policy for the development of such resources, coordinate plans for public improvement, cooperate with other governmental and planning agencies, develop and assist in promoting beneficial use of lands within the County, disseminate information on surveys, studies and research, recommend programs for public structures and improvements, and conservation of resources.

Introduced February 2.

PUBLIC LANDS AND FORESTS

Arkansas. S. B. 220. Mr. Dillon.

To cooperate with the Federal Government in the acquisition and development of migratory bird refuges by giving consent of the State of Arkansas for the acquisition of lands and waters within the State suitable for such refuges.

Introduced February 8.

California. Assembly Bill 1559. Mr. Field.

Lands deeded to the state for non-payment of taxes may be sold at either private or public sale, the prospective purchaser first making application in writing to the tax collector of the county or city and county in which the lands are located, describing the property and tendering the amount bid. Consent of the Board of Supervisors to make sale must first be obtained by the tax collector. Upon sale title shall vest absolutely in the grantee subject only to special assessments theretofore attached and

subject to any lease given under the provisions of section 3773.

To Committee on Government Revenue and Expenditures January 21.

California. H. B. 1622. Mr. Desmond.

To grant to the legislative bodies of Counties and Cities the exclusive right to lease or rent lands sold to the State for delinquent taxes subject to redemption rights.

To Committee on Government Efficiency and Economy January 21.

California. S. B. 552. Mr. McBride.

To grant the State Director of Finance the right to lease, rent, or sell lands sold to the State for delinquent taxes subject to redemption rights.

To Committee on Government Efficiency January 21.

Minnesota. H. B. 622. Mr. Thompson.

Authorizing municipalities, including counties, boards and school districts, to acquire recreational facilities and operate programs of public recreation and playgrounds. Any corporation, board or body designated is authorized to conduct its activities on property under its management, other public property, private property, with the consent of the owner, and may accept gifts. Where school funds or school property is utilized, the board may supervise the administration of the Act, prescribe qualifications and instructors, all secondary to the conducting of regular school curriculum. The State Board of Education may appoint competent person or persons to carry out the provisions of this Act.

To Committee on Education February 4

Oregon. H. B. 220. Messrs. Staples and Duncan.

To amend the law relative to the resale of land acquired by county tax sale to provide that all property acquired by the county shall be subject to sale by order of the County Court. If the county has acquired 90% of the number of lots in any subdivision or plat, the County Court (County Commissioners) in its discretion, may authorize the purchase of the remaining lots or may exchange other lots owned by the county and may thereafter upon acquiring title to all of such lots in any subdivision vacate the whole of the subdivision.

Introduced February 2.

Wyoming. S. B. 50. Committee on Stock Raising.

To permit the State Board of Land Commissioners to make a new agreement with purchasers of state land whenever they fail to make a payment. The Board may deed to the purchaser an amount of land equal in value to the amount of payments already made, (if 25% of the total purchase price has been paid), and make a new contract of sale for the balance of the original purchase. This power exists only until March 1, 1939.

To Committee No. 7. February 2.

REAL PROPERTY

California. A. B. 1461. Mr. Sawallisch, et al.

A. B. 1573. Mr. King.

To authorize cities, towns and counties to aid in housing projects of housing authorities (State or Federal) by furnishing parks, playgrounds and other improvements, selling, leasing, or

dedicating property to the authority or Federal Government; furnishing water, drainage, recreational or educational facilities; planning or zoning the political subdivisions and cooperating in planning the construction or operation of such housing projects.

To Committee on Social Service and Welfare January 21.

Utah. S. B. 147. Mr. Nelson.

To authorize Cities, Towns and Counties to aid in housing projects of housing authorities (State or Federal by furnishing parks, playgrounds, streets and other improvements, selling, leasing or dedicating property to the authority or Federal Government; furnishing water, drainage, recreational or educational facilities; planning or zoning the political subdivisions and cooperating in planning the construction or operation of such housing projects.

Introduced February 2.

West Virginia. S. B. 94. Mr. Canterbury.

To license real estate brokers and salesmen and create a Real Estate Commission to issue such licenses

Introduced February 4.

TAXATION

California. H. B. 1678. Mr. Sawallisch.

The property of housing authorities shall be exempt from all taxes and special assessments of the State or political subdivisions, providing that in lieu of such taxes or special assessments the authority may agree to make payments for public services, improvements or facilities furnished by such political subdivisions for the benefit of such housing authorities. The bonds of the Housing Authority are to be exempt from all taxes.

To Committee on Revenue and Taxation January 21.

Montana. H. B. 49. Mr. Ruffcorn.

As a basis for the imposition of taxes upon all lands with improvements to the value of \$2500 when used for homestead purposes, 20% of their full value shall be taken until March 1, 1939, then 15% until March 1, 1940, then 10% until March 1, 1941, and 7% thereafter.

Introduced January 18.

South Dakota. H. B. 125. Mr. Fulford.

All real property, whether publicly or privately owned, devoted to the use of impounding, storing and conserving water within this state shall be exempt from taxation.

Introduced February 5.

South Dakota. S. B. 131. Messrs. Lahme and Kretschmar.

To exempt homesteads from twenty-five percent of the taxes on valuations up to \$5,000.

Introduced February 5.

Texas. H. B. 450. Mr. Colquitt.

To provide that delinquent taxes may be paid in installments within a period of ten months.

To Committee on State Affairs February 8.

H. A. HOCKLEY

